

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

A-24

Agenda Number:
Prepared on: April 22, 2002
Department Name: Public Works
Department No.: 054
Agenda Date: May 14, 2002
Placement: Administrative
Estimated Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director *PMD*
Public Works Department

STAFF CONTACT: Bret Stewart, Manager, 568-3232 *BNS*
Traffic Section

Jason Sunukjian, 568-3217
Real Property

SUBJECT: Vacation of a portion of Wyant Road – Westerly portion within APN 009-640-001 (Casa Dorinda, 300 Hot Springs Road), Montecito; County Project No. 762011 (Real Property Folio # YS 3362), First Supervisorial District

Recommendation(s):

That the Board of Supervisors:

1. Approve the attached California Environmental Quality Act (CEQA) Notice of Exemption document, which is discussed hereunder.
2. Adopt the attached Resolution of Summary Vacation, thereby vacating the County's easement interest in the westerly portion of Wyant Road (the portion within APN 009-640-001), which portion of the road right-of-way is no longer needed by the public for road or bike path purposes.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 1: An Efficient Government Able to Respond Effectively to the Needs of the Community.

Executive Summary and Discussion:

The County holds an easement interest in the westerly portion of Wyant Road, a 60' wide portion within APN 009-640-001 (Casa Dorinda, 300 Hot Springs Road), which is approximately 84,000

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square feet in size. This portion of road property is hereinafter referred to as the “COUNTY Property.” The Public Works Department has found that the COUNTY Property is not needed by Public Works for present or future use as a road, bike path, or for any other use.

The COUNTY Property is currently an unimproved portion of the Wyant Road road right-of-way. This unimproved 60’ wide portion of Wyant Road is currently situated within a portion of the property owned by Casa Dorinda Retirement Residence (please refer to Exhibit B in the attached Order to Vacate document). The original easement was dedicated to the County for road purposes pursuant to condition 15 of permit 71-CP-44, which was approved by the Planning Commission on November 10, 1971. The road easement has never been improved or used as originally intended and also is not in the County’s maintained system. The Traffic Section has determined that this portion of the road is not being considered for future improvement of traffic circulation in the Montecito area. The vacation of this COUNTY Property will substantially reduce the County’s liability on this large private parcel (the COUNTY still holds a trail easement on this parcel).

Pursuant to California Streets and Highways Code, Sections 8331 and 8335, this road vacation hereby qualifies for a Summary Vacation, and therefore, needs only a single hearing by the Board of Supervisors to take a final action and vacate the COUNTY Property.

In the event the Board elects to proceed with the road vacation by adopting the attached Resolution of Summary Vacation of the subject portion of Wyant Road, said Resolution will be recorded at the Office of the County Recorder by the Facilities Services Division on behalf of the Public Works Department. Upon recordation of this document, the road vacation will be complete.

CEQA and Government Code Section 65402 Information:

The attached CEQA Notice of Exemption document states that the proposed vacation of this COUNTY Property has No Possibility of Significant Effect according to CEQA Guideline Section 15061 (b)(3). The analysis attached to the CEQA document discusses this finding.

The Planning and Development Department has not made a determination regarding this road vacation within the 40 days allotted for such a determination pursuant to Section 8313 of California Streets and Highways Code.

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The COUNTY Property being vacated is not in the County’s maintained system, and therefore, the vacation of the subject portion of Wyant Road will have no additional impact on the County.

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There will be no financial impact as the County is merely removing its easement interest in the road property.

Special Instructions:

After Board action, distribute as follows:

- | | | |
|----|--------------------------|--|
| 1. | Original Order to Vacate | Facilities Services,
Attn: Jason Sunukjian |
| 2. | Copy of Order to Vacate | Clerk of the Board File |
| 3. | Copy of Order to Vacate | County Surveyor's Office
Attn: Michael Collie |
| 4. | Minute Order | Facilities Services,
Attn: Jason Sunukjian |
| 5. | Minute Order | Transportation Division,
Attn: Bret Stewart |
| 6. | Minute Order | County Surveyor's Office
Attn: Michael Collie |

In the event the Board adopts the Summary Vacation of a portion of Wyant Road, Facilities Services (on behalf of the Public Works Department) will record the original Resolution of Summary Vacation with the Office of the County Recorder.

Concurrence:

County Counsel

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Public Works Department

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s): 009-640-001

Case No.: 762011

Location: Montecito, California

Project Title: Wyant Road Vacation

Project Description: see attached

Exempt Status:

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect [Sec. 15061 (b,3)]

Cite Specific CEQA Guideline Section: 15061(b,3)

Reasons to Support Exemption Findings: see attached

Jason Sunukjian / Real Property 1-22-02
 Preparer Date

[Signature] / Environmental Planner, Sr. 1-22-02
 Department/Division Representative Date

NOTE: A copy must be posted at Planning and Development at least 6 days prior to consideration of the activity by the decision-makers to comply with County CEQA guidelines and a copy must be filed with the County Clerk of the Board after project approval to begin a 35-day statute of limitations on legal challenges.

Distribution: P&D
File (environmental)

APPROVED AS TO FORM:
COUNTY COUNSEL

By: [Signature]
 Kevin E. Ready, Sr.
 Deputy County Counsel

DATE FILE OF COUNTY CLERK